

**THIS OPINION WAS NOT WRITTEN FOR PUBLICATION
AND IS NOT BINDING PRECEDENT OF THE BOARD**

Filed by: Trial Section Merits Panel
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Paper No. 25

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

TAN D. HUYNH

Junior Party,
(Patent 5,896,107)¹,

v.

BJORN LINDMARK

Senior Party
(Application 09/451,862)²

Patent Interference No. 105,074

Before LEE, LANE and MEDLEY, Administrative Patent Judges.

LEE, Administrative Patent Judge.

FAXED

JUN 16 2003

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Judgment

¹ Based on application 08/863,779, filed May 27, 1997. The real party in interest is Allen Telecom, Inc.

² Filed December 1, 1999. Accorded the benefit of application 09/027, 933, filed January 23, 1998, now Patent No. 6,018,319, and Sweden application 9700208-3, filed January 24, 1997. The real party in interest is Allgon AB.

Interference No. 105,074
Hyunh v. Lindmark

On June 5, 2003, senior party Lindmark filed a paper entitled "Lindmark's Filing of Express Abandonment" (Paper No. 23) wherein it is stated: "Lindmark hereby files its Express Abandonment, attached hereto of the Lindmark application in interference."

Per 37 CFR § 1.662(a), the abandonment of the senior party's involved application is herein treated as a request for entry of adverse judgment against senior party Lindmark. The request is **granted**.

It is

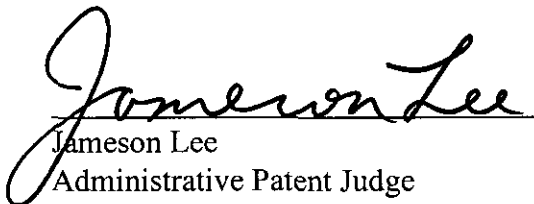
ORDERED that judgment as to the subject matter of the count is hereby entered against senior party BJORN LINDMARK;


FURTHER ORDERED that senior party BJORN LINDMARK is not entitled to its application claims 9-15 and 19-27 which correspond to the count; and

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and 37 CFR § 1.666; and

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

Interference No. 105,074
Hyunh v. Lindmark


Jameson Lee
Administrative Patent Judge


Sally Gardner Lane
Administrative Patent Judge


Sally C. Medley
Administrative Patent Judge

BOARD OF PATENT
APPEALS
AND
INTERFERENCES

Interference No. 105,074
Hyunh v. Lindmark

By Facsimile

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